IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION

KIRK R. SMITH
REG. #43293-004   PETITIONER

VS.   2:07CV00064 SWW/JTR

THOMAS A. WARD,.et al   RESPONDENTS

ORDER

Petitioner, who is currently incarcerated at the Federal Correctional Institute located in

Forrest City, Arkansas, has filed a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241

(docket entry #2), a Motion to Expedite (docket entry #3), a Motion for Preliminary

Injunction/Temporary Restraining order (docket entry #4), a Motion for Emergency Writ of

Mandamus. (Docket entry #5), and an Amended Petition. (Docket entry #8.)   Petitioner seeks the

removal of an INS detainer that he claims is unconstitutionally depriving him of early release in the

BOP to a half-way house. (Docket entry #2.) The Petition was originally filed on December 20,

2006, in the Southern District of Florida, *Smith v. Sanders, et al.,* S.D. Fla.. No. 1:06CV23063-SH.

On May 14, 2007, the District Court transferred the case to the Eastern District of Arkansas, due to

his incarceration here.

The Court did not order service of Petitioner's pleadings because he neither paid the filing

fee nor submitted a Motion for Leave to Proceed *In Forma Pauperis*.[1] (Docket entry #6.) Petitioner

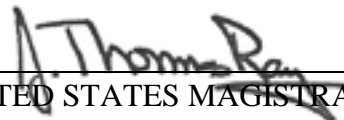has now paid the filing fee, and the Court will order service.

---

[1]The Clerk of the Southern District of Florida confirmed that Petitioner neither paid the filing
fee nor moved to obtain *in forma pauperis* status.

IT IS THEREFORE ORDERED THAT:

1.   The Clerk of the Court is directed to serve a copy of the habeas Petition (docket entry #2), Motion to Expedite (docket entry #3), Motion for Preliminary Injunction/Temporary Restraining order (docket entry #4), Motion for Emergency Writ of Mandamus (docket entry #5), Amended Petition (docket entry #8),and this Order on Respondent and the United States Attorney by mail.

2.   Respondent shall file responsive pleadings **within twenty (20) days** of service.

Dated this 3rd day of July, 2007.

_____
UNITED STATES MAGISTRATE JUDGE